

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

LISBETH EVELYN COBLE
Aka LISBETH EVELYN CIRUZZI
1450 Midvale Avenue #312
Los Angeles, CA 90024

Registered Nurse License No. 251098

Respondent


Case No. 2007-246
OAH No. L-2008010295

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in the above entitled matter.

This Decision shall become effective on November 1, 2008

IT IS SO ORDERED October 1, 2008



President
Board of Registered Nursing
Department of Consumer Affairs
State of California

1 EDMUND G. BROWN JR., Attorney General
of the State of California
2 MARC D. GREENBAUM
Supervising Deputy Attorney General
3 JENNIFER S. CADY, State Bar No. 100437
Deputy Attorney General
4 300 So. Spring Street, Suite 1702
Los Angeles, CA 90013
5 Telephone: (213) 897-2442
Facsimile: (213) 897-2804

6 Attorneys for Complainant

7
8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

12 LISBETH EVELYN COBLE
aka LISBETH EVELYN CIRUZZI
1450 Midvale Avenue #312
13 Los Angeles, CA 90024

14 Registered Nurse License No. 251098

15 Respondent.

Case No. 2007-246

OAH No. L-2008010295

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

17 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the
18 above-entitled proceedings that the following matters are true:

19 **PARTIES**

20 1. Ruth Ann Terry, M.P.H., R.N. (Complainant) is the Executive Officer of
21 the Board of Registered Nursing. She brought this action solely in her official capacity and is
22 represented in this matter by Edmund G. Brown Jr., Attorney General of the State of California,
23 by Jennifer S. Cady, Deputy Attorney General.

24 2. Respondent Lisbeth Evelyn Coble, a.k.a. Lisbeth Evelyn Ciruzzi
25 (Respondent) is represented in this proceeding by attorney Frederick H. Alschuler, whose address
26 is Frederick H. Alschuler, Attorney at Law, 1546 North Argyle Ave., Suite 203, Hollywood,
27 California 90028.

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3. On or about February 28, 1975, the Board of Registered Nursing issued Registered Nurse License No. 251098 to Lisbeth Evelyn Coble, a.k.a. Lisbeth Evelyn Ciruzzi (Respondent). The Registered Nurse License was in full force and effect at all times relevant to the charges brought in Accusation No. 2007-246 and will expire on April 30, 2010, unless renewed.

JURISDICTION

4. Accusation No. 2007-246 was filed before the Board of Registered Nursing (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on April 5, 2007. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of Accusation No. 2007-246 is attached as exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 2007-246. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

6. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

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1 **CULPABILITY**

2 8. Respondent understands and agrees that the charges and allegations in
3 Accusation No. 2007-246, if proven at a hearing, constitute cause for imposing discipline upon
4 her Registered Nurse License.

5 9. For the purpose of resolving the Accusation without the expense and
6 uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could
7 establish a factual basis for the charges in the Accusation, and that Respondent hereby gives up
8 her right to contest those charges.

9 10. Respondent agrees that her Registered Nurse License is subject to
10 discipline and she agrees to be bound by the Board of Registered Nursing (Board) 's imposition
11 of discipline as set forth in the Disciplinary Order below.

12 **CONTINGENCY**

13 11. This stipulation shall be subject to approval by the Board of Registered
14 Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the
15 Board of Registered Nursing may communicate directly with the Board regarding this stipulation
16 and settlement, without notice to or participation by Respondent or her counsel. By signing the
17 stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek
18 to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails
19 to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary
20 Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal
21 action between the parties, and the Board shall not be disqualified from further action by having
22 considered this matter.

23 12. The parties understand and agree that facsimile copies of this Stipulated
24 Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same
25 force and effect as the originals.

26 13. In consideration of the foregoing admissions and stipulations, the parties
27 agree that the Board may, without further notice or formal proceeding, issue and enter the
28 following Disciplinary Order:

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1 3. **Report in Person.** Respondent, during the period of probation, shall
2 appear in person at interviews/meetings as directed by the Board or its designated
3 representatives.

4 4. **Residency, Practice, or Licensure Outside of State.** Periods of
5 residency or practice as a registered nurse outside of California shall not apply toward a reduction
6 of this probation time period. Respondent's probation is tolled, if and when she resides outside
7 of California. Respondent must provide written notice to the Board within 15 days of any change
8 of residency or practice outside the state, and within 30 days prior to re-establishing residency or
9 returning to practice in this state.

10 Respondent shall provide a list of all states and territories where she has ever been
11 licensed as a registered nurse, vocational nurse, or practical nurse. Respondent shall further
12 provide information regarding the status of each license and any changes in such license status
13 during the term of probation. Respondent shall inform the Board if she applies for or obtains a
14 new nursing license during the term of probation.

15 5. **Submit Written Reports.** Respondent, during the period of probation,
16 shall submit or cause to be submitted such written reports/declarations and verification of actions
17 under penalty of perjury, as required by the Board. These reports/declarations shall contain
18 statements relative to Respondent's compliance with all the conditions of the Board's Probation
19 Program. Respondent shall immediately execute all release of information forms as may be
20 required by the Board or its representatives.

21 Respondent shall provide a copy of this Decision to the nursing regulatory agency
22 in every state and territory in which she has a registered nurse license.

23 6. **Function as a Registered Nurse.** Respondent, during the period of
24 probation, shall engage in the practice of registered nursing in California for a minimum of 24
25 hours per week for 6 consecutive months or as determined by the Board.

26 For purposes of compliance with the section, "engage in the practice of registered
27 nursing" may include, when approved by the Board, volunteer work as a registered nurse, or
28 work in any non-direct patient care position that requires licensure as a registered nurse.

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1 The Board may require that advanced practice nurses engage in advanced practice
2 nursing for a minimum of 24 hours per week for 6 consecutive months or as determined by the
3 Board.

4 If Respondent has not complied with this condition during the probationary term,
5 and Respondent has presented sufficient documentation of her good faith efforts to comply with
6 this condition, and if no other conditions have been violated, the Board, in its discretion, may
7 grant an extension of Respondent's probation period up to one year without further hearing in
8 order to comply with this condition. During the one year extension, all original conditions of
9 probation shall apply.

10 7. **Employment Approval and Reporting Requirements.** Respondent
11 shall obtain prior approval from the Board before commencing or continuing any employment,
12 paid or voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all
13 performance evaluations and other employment related reports as a registered nurse upon request
14 of the Board.

15 Respondent shall provide a copy of this Decision to her employer and immediate
16 supervisors prior to commencement of any nursing or other health care related employment.

17 In addition to the above, Respondent shall notify the Board in writing within
18 seventy-two (72) hours after she obtains any nursing or other health care related employment.
19 Respondent shall notify the Board in writing within seventy-two (72) hours after she is
20 terminated or separated, regardless of cause, from any nursing, or other health care related
21 employment with a full explanation of the circumstances surrounding the termination or
22 separation.

23 8. **Supervision.** Respondent shall obtain prior approval from the Board
24 regarding Respondent's level of supervision and/or collaboration before commencing or
25 continuing any employment as a registered nurse, or education and training that includes patient
26 care.

27 Respondent shall practice only under the direct supervision of a registered nurse
28 in good standing (no current discipline) with the Board of Registered Nursing, unless alternative

A handwritten signature in black ink, appearing to read 'Lee Q', is located in the bottom right corner of the page.

1 methods of supervision and/or collaboration (e.g., with an advanced practice nurse or physician)
2 are approved.

3 Respondent's level of supervision and/or collaboration may include, but is not
4 limited to the following:

5 (a) Maximum - The individual providing supervision and/or collaboration is
6 present in the patient care area or in any other work setting at all times.

7 (b) Moderate - The individual providing supervision and/or collaboration is in
8 the patient care unit or in any other work setting at least half the hours Respondent works.

9 (c) Minimum - The individual providing supervision and/or collaboration has
10 person-to-person communication with Respondent at least twice during each shift worked.

11 (d) Home Health Care - If Respondent is approved to work in the home health
12 care setting, the individual providing supervision and/or collaboration shall have person-to-
13 person communication with Respondent as required by the Board each work day. Respondent
14 shall maintain telephone or other telecommunication contact with the individual providing
15 supervision and/or collaboration as required by the Board during each work day. The individual
16 providing supervision and/or collaboration shall conduct, as required by the Board, periodic, on-
17 site visits to patients' homes visited by Respondent with or without Respondent present.

18 9. **Employment Limitations.** Respondent shall not work for a nurse's
19 registry, in any private duty position as a registered nurse, a temporary nurse placement agency, a
20 traveling nurse, or for an in-house nursing pool.

21 Respondent shall not work for a licensed home health agency as a visiting nurse
22 unless the registered nursing supervision and other protections for home visits have been
23 approved by the Board. Respondent shall not work in any other registered nursing occupation
24 where home visits are required.

25 Respondent shall not work in any health care setting as a supervisor of registered
26 nurses. The Board may additionally restrict Respondent from supervising licensed vocational
27 nurses and/or unlicensed assistive personnel on a case-by-case basis.

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1 Respondent shall not work as a faculty member in an approved school of nursing
2 or as an instructor in a Board approved continuing education program.

3 Respondent shall work only on a regularly assigned, identified and predetermined
4 worksite(s) and shall not work in a float capacity.

5 If Respondent is working or intends to work in excess of 40 hours per week, the
6 Board may request documentation to determine whether there should be restrictions on the hours
7 of work.

8 10. **Complete a Nursing Course(s).** Respondent, at her own expense, shall
9 enroll and successfully complete a course(s) relevant to the practice of registered nursing no later
10 than six months prior to the end of her probationary term.

11 Respondent shall obtain prior approval from the Board before enrolling in the
12 course(s). Respondent shall submit to the Board the original transcripts or certificates of
13 completion for the above required course(s). The Board shall return the original documents to
14 Respondent after photocopying them for its records.

15 11. **Cost Recovery.** Respondent shall pay to the Board costs associated with
16 its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the
17 amount of \$6,381.88. Respondent shall be permitted to pay these costs in a payment plan
18 approved by the Board, with payments to be completed no later than three months prior to the
19 end of the probation term.

20 If Respondent has not complied with this condition during the probationary term,
21 and Respondent has presented sufficient documentation of her good faith efforts to comply with
22 this condition, and if no other conditions have been violated, the Board, in its discretion, may
23 grant an extension of Respondent's probation period up to one year without further hearing in
24 order to comply with this condition. During the one year extension, all original conditions of
25 probation will apply.

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1 12. **Violation of Probation.** If Respondent violates the conditions of her
2 probation, the Board after giving Respondent notice and an opportunity to be heard, may set
3 aside the stay order and impose the stayed discipline (revocation/suspension) of Respondent's
4 license.

5 If during the period of probation, an accusation or petition to revoke probation has
6 been filed against Respondent's license or the Attorney General's Office has been requested to
7 prepare an accusation or petition to revoke probation against Respondent's license, the
8 probationary period shall automatically be extended and shall not expire until the accusation or
9 petition has been acted upon by the Board.

10 13. **License Surrender.** During Respondent's term of probation, if she ceases
11 practicing due to retirement, health reasons or is otherwise unable to satisfy the conditions of
12 probation, Respondent may surrender her license to the Board. The Board reserves the right to
13 evaluate Respondent's request and to exercise its discretion whether to grant the request, or to
14 take any other action deemed appropriate and reasonable under the circumstances, without
15 further hearing. Upon formal acceptance of the tendered license and wall certificate, Respondent
16 will no longer be subject to the conditions of probation.

17 Surrender of Respondent's license shall be considered a disciplinary action and
18 shall become a part of Respondent's license history with the Board. A registered nurse whose
19 license has been surrendered may petition the Board for reinstatement no sooner than the
20 following minimum periods from the effective date of the disciplinary decision:

21 (1) Two years for reinstatement of a license that was surrendered for any
22 reason other than a mental or physical illness; or

23 (2) One year for a license surrendered for a mental or physical illness.

24 14. **Therapy or Counseling Program.** Respondent, at her expense, shall
25 participate in an on-going counseling program until such time as the Board releases her from this
26 requirement and only upon the recommendation of the counselor. Written progress reports from
27 the counselor will be required at various intervals.

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ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Frederick H. Alschuler. I understand the stipulation and the effect it will have on my Registered Nurse License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.

DATED: 6-17-08.



LISBETH EVELYN COBLE
aka LISBETH EVELYN CIRUZZI
Respondent

I have read and fully discussed with Respondent Lisbeth Evelyn Coble aka Lisbeth Evelyn Ciruzzi the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: June 17, 2008.



FREDERICK H. ALSCHULER
Attorney for Respondent

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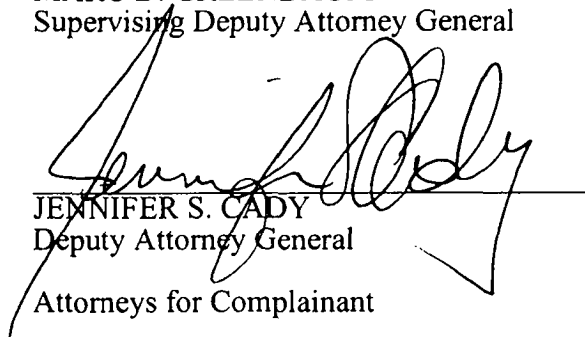
ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

DATED: June 18, 2008

EDMUND G. BROWN JR., Attorney General
of the State of California

MARC D. GREENBAUM
Supervising Deputy Attorney General


JENNIFER S. CADY
Deputy Attorney General

Attorneys for Complainant

DOJ Matter ID: LA2006600918
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Exhibit A
Accusation No. 2007-246

1 EDMUND G. BROWN JR., Attorney General
of the State of California
2 MARC D. GREENBAUM, State Bar No. 138213
Supervising Deputy Attorney General
3 JAMI L. CANTORE, State Bar No. 165410
Deputy Attorney General
4 California Department of Justice
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2569
6 Facsimile: (213) 897-2804

7 Attorneys for Complainant

8
9 **BEFORE THE**
BOARD OF REGISTERED NURSING
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. 2007-246

12 LISBETH EVELYN COBLE,
a.k.a. LISBETH EVELYN CIRUZZI
13 1450 Midvale Avenue #312
Los Angeles, CA 90024

A C C U S A T I O N

14 Registered Nurse License No. 251098

15 Respondent.
16

17 Complainant alleges:

18 **PARTIES**

19 1. Ruth Ann Terry, M.P.H., R.N. (Complainant) brings this Accusation
20 solely in her official capacity as the Executive Officer of the Board of Registered Nursing
21 (Board), Department of Consumer Affairs.

22 2. On or about February 28, 1975, the Board issued Registered Nurse License
23 No. 251098 to Lisbeth Evelyn Coble, also known as Lisbeth Evelyn Ciruzzi (Respondent). The
24 Registered Nurse License was in full force and effect at all times relevant to the charges brought
25 herein and will expire on April 30, 2008, unless renewed.

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3. This Accusation is brought before the Board, under the authority of the

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4. Section 2750 of the Business and Professions Code (Code) provides, in

5. Section 2764 of the Code provides, in pertinent part, that the expiration of

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1 provide nursing care as required or failure to provide care or to exercise ordinary precaution in a
2 single situation in which the nurse knew, or should have known, could have jeopardized the
3 client's health or life."

4 8. California Code of Regulations, title 16, section 1443 states:

5 "As used in Section 2761 of the code, 'incompetence' means the lack of
6 possession of or the failure to exercise that degree of learning, skill, care and experience
7 ordinarily possessed and exercised by a competent registered nurse as described in Section
8 1443.5."

9 9. California Code of Regulations, title 16, section 1443.5 states:

10 "A registered nurse shall be considered to be competent when he/she consistently
11 demonstrates the ability to transfer scientific knowledge from social, biological and physical
12 sciences in applying the nursing process, as follows:

13 "(1) Formulates a nursing diagnosis through observation of the client's physical
14 condition and behavior, and through interpretation of information obtained from the client and
15 others, including the health team.

16 "(2) Formulates a care plan, in collaboration with the client, which ensures that
17 direct and indirect nursing care services provide for the client's safety, comfort, hygiene, and
18 protection, and for disease prevention and restorative measures.

19 "(3) Performs skills essential to the kind of nursing action to be taken, explains
20 the health treatment to the client and family and teaches the client and family how to care for the
21 client's health needs.

22 "(4) Delegates tasks to subordinates based on the legal scopes of practice of the
23 subordinates and on the preparation and capability needed in the tasks to be delegated, and
24 effectively supervises nursing care being given by subordinates.

25 "(5) Evaluates the effectiveness of the care plan through observation of the client's
26 physical condition and behavior, signs and symptoms of illness, and reactions to treatment and
27 through communication with the client and health team members, and modifies the plan as
28 needed.

"(6) Acts as the client's advocate, as circumstances require, by initiating action to improve health care or to change decisions or activities which are against the interests or wishes of the client, and by giving the client the opportunity to make informed decisions about health care before it is provided."

10. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

FIRST CAUSE FOR DISCIPLINE

(Unprofessional Conduct: Incompetence or Gross Negligence)

11. Respondent's license is subject to disciplinary action under section 2761, subdivision (a)(1), on the grounds of unprofessional conduct in that Respondent demonstrated incompetence and/or gross negligence within the meaning of California Code of Regulations, title 16, sections 1442 and 1443, as defined in California Code of Regulations, title 16, section 1443.5, while employed as a registered nurse at Harbor View Care Center ("HVCC"), as follows:

a. On or about January 26, 2003, at approximately 2330 hours, a resident reported to the nursing station that his roommate was on the floor bleeding from his forehead. Respondent failed to physically assess the resident patient and failed to document his vital signs, respirations, or seizure activity.

b. A youth counselor called 911 and was instructed by the operator to apply pressure to the resident's head wound. The youth counselor informed Respondent, but Respondent replied that "she was not getting down in that blood." The resident began having a seizure, and the youth counselor applied pressure to the head wound. Respondent watched the unlicensed youth counselor provide medical assistance to the resident.

c. Respondent failed to assess and position the patient while he was having a seizure. Respondent failed to adequately respond to the patient in an emergent situation, failed to direct the treatment of the patient, and placed the patient at an increased risk for harm.

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1 Lisbeth Evelyn Coble, also known as Lisbeth Evelyn Ciruzzi.

2 2. Ordering Lisbeth Evelyn Coble to pay the Board the reasonable costs of
3 the investigation and enforcement of this case pursuant to Business and Professions Code section
4 125.3.

5 3. Taking such other and further action as deemed necessary and proper.

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7 DATED: 3/26/07

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10 
11 RUTH ANN TERRY, M.P.H., R.N.
12 Executive Officer
13 Board of Registered Nursing
14 State of California
15 Complainant
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